

Workgroup on Trash Burning
November 8, 2006

DNR Air Quality Bureau offices – Urbandale, Iowa

Meeting Minutes

Welcome and Introductions: We appreciate your time and participation.

Update on solid waste vision meeting from Mark Warren: We had 3 days of meeting last week for the “Vision” meeting. The group was brought together to talk about current state laws and changes/updates that might be needed. The department pulled together a diverse group of people to talk about current solid waste rules (from 20 years ago) so they could look at our current state and improve what we’re doing. We split into groups and brainstormed what’s wrong with the current system, and what can we do to address these problems.

There were about four topics that we came up with:

- Increased recycling availability (make it affordable and convenient)
- Use sustainable communities as a model
- Look at life cycle of a product (how it’s made, its use, and end use.)
- Enforcement to enforce current rules we already have.

Some main talking points are that we’d like a vision of a sustainable community, that this is more than just garbage (that’s how it ties into burn ban), that we need to find new ways to communicate the importance of what we’re doing (proper solid waste management), and that we are doing a lot of good things, but there’s room to get a lot better.

We focused on "moving from good to great."

The next step is for the department to digest the information and come up with a tangible item. This will probably lead to more meetings as we move forward.

10-26 meeting review: See condensed summary or meeting minutes.

Facilitator:

Are there any disagreements/agreement on health and environmental impact?

Discussion:

- EPA has several fact sheets that would be useful for the education portion.
- Research and info on trash/yard waste burning is not in just one place. It’s hard to find that one place for information. It’s not all the same. How do you tie it all in?

-There's not disagreement with the data within our group. However there are people out there that don't believe it's an issue. We need the data and education to address the people with these attitudes.

-We're impacting more than just ourselves. It affects your neighbors too. What choices do we have about these impacts?

-Eventually an educational packet will be utilized. We have multiple sources of data that all sign onto the same educational package...this will be more readily embraced.

-Waste materials from 60 years ago probably didn't have as big of an impact as waste now that's being burned. Health and environment wasn't the problem when we (Metro) were helping implement city burn bans, it was the nuisance factor that convinced a lot of people. You're affecting your neighbors. Also if alternative facilities are available they will be embraced.

-The department's survey would be useful for this too. It doesn't include unincorporated so there are some limitations, but could be handy.

-Waste composition data is nice to have and it's nice to have all of us working towards a common goal.

-There are different talking points that could be more effective.

-If a small town isn't allowed to burn trash, but we allow them to burn a building...aren't we being hypocritical?

-We're not setting final public policy. The building burning was done through legislation, which's how it came down. It's not the DNR's fault that we have burning, however our group has to address that inconsistency.

Update: The city of Creston decided to landfill some buildings instead of burning.

Facilitator:

There are several strands running through this that we need to pick up and deal with. One is the idea of doing legislation and whether or not we have time for this. That takes us into the legislation and rules 101.

Discussion on past meeting summaries:

2020 is a long ways away.

Facilitator: There are different dates in the different ideas that were presented last meeting, and so we have options we could consider.

Discussion:

Have we thought about the unintended consequences? There are some areas that this may not be feasible right now. This is where the opt-out option may come into play. These are just different ideas and proposals for the legislature to consider.

Were any other options discussed besides curbside pick-up?

Yes it's in the notes a citizen convenience center (CCC's) was talked about.

Could you do a pilot program on something like this to get an idea of cost and use of something like that? Or we could evaluate some current areas that have already done something like this. There are a lot of counties that already have free CCC's for rural residents to take waste to. They're already in existence; we could look into these for costs and add this information to the educational package.

Hauling trash is inconvenient and this is something that is an issue. Cost and cleanliness is something we need to consider. There are a lot of funding options that we haven't really talked about, but there are possible funding streams for these things.

I don't think that it will be too costly for rural collection. It's a utility that is necessary as part of our life. Haulers can potentially haul. If a county bids/zones the garbage collection out then the price could be very reasonable. It may be more expensive for different areas.

One size doesn't fit all. We're talking about the incorporated/unincorporated topic. We can start with the incorporated and educate the unincorporated.

There are different taxes that people would be totally against it. (Don't load it on property tax)

Assistance to fixed income people would be great, but there's also volunteer basis that could be used for helping the older population. We could look at current communities to see what they do. Cost is more important than the physical limitation.

Association of counties would need to do some more discussing to figure out if this is feasible. One size doesn't fit all. Our association typically opposes un-funded mandates.

People around this table represent different constituents. We need everyone's input to bring these views forward. DNR wants to know what would be possible and what we could get consensus on moving forward to the legislature.

Facilitator: One reason we looked at a longer window of time is exactly for this reason, because one size doesn't fit all.

Discussion:

Something like the bottle bill would be good.

Roadside dumping is a growing problem. If we put into place a system that raises the costs, but we'll see even more roadside dumping. The lower the density the higher the cost and also the more likelihood of dumping.

The purpose of this is solely for trash; we're not dealing with yard waste here. There are poor counties out there that we have to consider.

There are always exceptions. Even in the Des Moines areas there are some exceptions, so we may divert ourselves from dealing with most of the problems if we get too far off of trying to deal with the smaller percentage of issues.

Just because there are people that will never participate, we should still put into effect something that will benefit people.

If we want to get it started, we need to start with the urban areas. Rural will be against it, but we need to start somewhere. We could also compare ourselves to other states to keep up with the rest of the nation.

We need to deal with the urban/rural and incorporated/unincorporated areas. We're seeing that one size won't work.

We are participants at the table. As partners we want to develop something. What does Farm Bureau think? At this point Farm Bureau is monitoring the process and can't make comment on it.

We have environmental coordinators in the counties that we could move towards the local officials having more of a control over it.

How much political willpower does the DNR have to take something to the legislature? In the past they haven't been very successful. It's not going anywhere unless we get a lot of support. Typically it's better if it comes from other groups.

It needs to come from more than just the solid waste agencies.

Legislation and Rules 101: See handout

Notes* Each General Assembly has two sessions. The timeline in the hand out is based on the second session.

Based on the timeline we'd be looking at late spring/early summer for rules to be crafted. This is also something to consider when looking at some of the implementation dates.

Break

Facilitator's Comments:

I've heard several topics. Incorporated first, then unincorporated? Will people work with us? Deal with tires and roadside dumping, and talk about having pilot projects. Where do we go from here?

Discussion: Could DNR proceed with rulemaking on a trash burn ban? We could under the general authority. We think that legislation is probably the best way to deal with

something like this. Previous workgroups have agreed that it's easier to implement specific statutes rather than the general authority. Rulemaking was unsuccessful previously.

The specificity of the statute can impact implementation. The statute can have deadlines for implementation in it so that could make the process faster. DNR needs lobbyists to be involved in the legislative process. A specific statute will be much more likely to make it happen. Also the outcome will have more likelihood of buy-in and that it's meaningful.

The education and other aspects can start before any legislation. We need the data for when we propose legislation and we need the data for education.

Dept. of Public Health has a database that then can break down some of the hospitalization rates and other information.

We need more data on attitudes and behaviors on the nuisance factor and focus groups on what their viewpoints are. The 2004 surveys did ask if it was a nuisance factor. Maybe people that work with the legislature could help us balance this.

It won't be effective to do an education campaign without knowing what people's attitudes are about it. We didn't ask before smoking bans what people's thoughts are. But is this different?

What can we do right now in the interim before anything is developed?

Facilitator: We need to gather information, pick pilot projects, and come up with what legislation looks like. We need to have a sense of where you all want to go. Last meeting legislation was the choice, but that seems to be different today.

We're all realistic that it's not going to happen in a quick time frame. We can educate the legislators and come up with draft legislation, and at the same time come up with education, surveys, etc.

We also need to work with the local entities. It's not just coming up with the legislation and then walking away.

Interest groups could draft legislation. We could have another group on education. And we could have any other groups with their own interest put together for the goal.

Counties resist mandates. In order to get local official buy-in we have a tough road ahead.

We need a legislator to shepherd the idea.

We're talking about centralization/decentralization. Is it better to do it centrally or bring it back to the local people? Someone said it was advantageous to do both at the same time.

Options:

- Draft Legislation (ID a sponsor) for a burn ban, permissive vs. mandatory
- Info/Education – local and statewide, how is it gathered, is it good, survey's needed? Fact finding.
- 2-3 tiers? All at the same time?
- ~~Rulemaking as a faster alternative, local rules, and building buy in~~ (Note: The facilitator crossed this out because the group indicated that legislation was preferred).
- Pilot projects – this won't make it move quickly. For a lot of these you need time to measure effectiveness. It is practically to do it all at once and start pulling things together. A pilot project would be good to tell us the facts. You can build a healthcare issue without a pilot project. If you speak in terms of money, people will understand.
- Enforcement
- Time
- Implementation
- Diversity groups

Discussion:

We need to break back up into groups and prioritize this data. We're getting too detailed in the big group discussion.

Fire departments have data on trash burn fires. Yes we do, the reporting isn't as good as we'd like, but we do have some good data. Local officials could help to encourage and support something like this (beer keg registration example).

The state couldn't move it forward, but when the county groups gave sample ordinances there were several counties that did it.

We need to specify what we mean by draft legislation.

We shouldn't look at rulemaking and legislation at the same time. It's redundant. The DNR is hesitant it seems, to do the rulemaking.

We're premature, we don't have the facts. Awareness is the first step. We need facts about fires, health issues, is it a nuisance, and other types of things to raise that awareness.

We can draft ordinances for those that want to proceed, and then when it does come to legislation there aren't as many that we're left to still deal with.

Time is an issue. If there's information out there we haven't seen it. Awareness is first.

Lunch

Facilitator:

Feedback I've heard is that we need table discussion, other say we need small groups, other say there's still things we could still do (burn ban for incorporated??).

We don't have city clerks here (they've been invited, they won't come until there's a product).

We need small groups but the information we need isn't available for those groups. Education and awareness is a step but we need information for this step.

We need to list what information we want and what sources could provide that info.

Another option is to have legislation to sensitize burning bans, but don't mandate it.

Information needed: health, nuisance, fire, economics, environments, and other options (recycling)

The information is out there and we want to put it together. It's to support which direction we decide to go. But we may want to put together the research to decide which direction to go. What questions do we need to answer, maybe there are things that we haven't even considered or discussed yet. The goal is to have a statewide ban on burning trash or reduce the burning of garbage, but how you go about that goal is up for question.

We need to collect the data and let it speak for itself. Don't gather the numbers to justify what we're trying to do...see what the data says first.

The goal is a statewide ban on trash burning, the question is how do we get there? What approach do we use to deal with this?

Subgroups (not necessarily today) could become the experts and come up with some concrete data.

Two groups: legislative or the mechanism, and the education/information group. Can we create a strategy from these two different approaches? The two have to go together. Small groups need to deal with these.

There are different approaches:

- Legislation
- Limited legislation (many options - population-based is one option)
- Legislation and education
- Education only

What is the information base needed for these? We're missing a lot of the data for unincorporated areas.

Do we need to gather the information to decide if we do legislation, or do we need to gather the data needed to do legislation? Is there enough data out there to mandate some of these things. Can we deal with the unincorporated based on the information we already have?

From a fire perspective we need to focus on more on the unincorporated. This could be an education/information slant.

We may have some data to move on some things, but we still have the sales pitch data we need to gather.

Public buy-in might take legislation or something more than just the data to convince them.

Legislation could have an incentive for communities to stop burning instead of a mandated.

Fire fighters are discussing rural fire issues, maybe the burn ban is good to bring up to this group.

Are there other avenues that we could use to move the process along?

Situation: Is it defined well enough to generate options yet?

We seem to be moving backwards not forwards. We need to be able to convince the new comers or else what we're doing is not going to work.

We're re-discussing the same big picture? We have new perspectives...the fire issue is a new perspective that we haven't considered.

Do we have data on fires in unincorporated areas? We have fire loss data.
We do have some gaps in our data. We're trying to come up with options that work;

What other data do we need to improve information on?

Fire/safety/economic losses, improve ISO rating. We need a subgroup to gather this data.

Waste management options and cost

Burning ordinances – enforcement capacity

Information and Data needed:

- Fire Safety and cost (Ross will get the data)
 - Insurance too (ISO info)
- County health data: see health data subgroup from the minutes of last meeting (Andrea/Christine)
- Cost of waste management options (Cindy/Julie/Rodger/Solid Waste people)
 - Subsidized options
- Cost of enforcement (Gary Young? Mayor of Woodward?)
- Ability to do enforcement

- Air Quality data national or local: new PM standard is a small margin in every county (Jim/Christine)
 - Compliance/control
 - Loss of highway funds
- Low income/Elderly (Andrea/Nicki)
 - Health
 - Cost of options (Solid waste folks)
 - Same population?
- Consider special needs (see how other states dealt with it)
- Other state's data used for their implementation and education (health, emissions, etc.) (Mark/Susan)
- Asthma (Jane)
 - No link?
 - Cost
 - Known trigger?
- Case studies?
- Nuisance Issue (expert opinion by talking to cities/mayors) Carol/Rodger/Gary

Ideas:

Focus on cities for trash burning (size TBD or geographical proximity). Let it still be permissible for counties, but have some pilot projects for models at the county level.

Next Meeting:

Need to disseminate the information from the subgroups for discussion. Discuss data and gaps.

Generation of options

Sharon Tahtinen or someone more knowledgeable about legislation process should be at the next meeting.

Have information to Christine by November 30th.

Good/Bad items from this meeting? Scheduled breaks, ask people who want to participate to show up, flexibility.